



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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Robert G. Burnley
Director

Steven A. Dietrich
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**STATE WATER CONTROL BOARD ENFORCEMENT ACTION
AMENDMENT TO
SPECIAL ORDER BY CONSENT
ISSUED TO
SANVILLE UTILITIES CORP.,
THE HENRY COUNTY PUBLIC SERVICE AUTHORITY, RECEIVER**

SECTION A: Purpose

This is an Amendment to a Consent Special Order issued under the authority of Va. Code §62.1-44.15(8a) by the State Water Control Board to the Sanville Utilities Corporation, Henry County Public Service Authority, in its role as Receiver, for the purpose of revising certain provisions of the Consent Special Order issued by State Water Control Board on May 7, 2002, as amended on October 29, 2003.

SECTION B: Basis for Amendment

1. As Receiver for Sanville Utilities Corp. ("Sanville"), the Henry County Public Service Authority ("PSA") holds VPDES Permit No. VA0029751 for operation of a wastewater treatment plant ("Fairway Acres STP") for Fairway Acres, a residential subdivision, and VPDES Permit No. VA0090557 for operation of a wastewater treatment plant ("Westwood Lagoon") for the Westwood Subdivision. The Fairway Permit expires on November 2, 2004. The Westwood Permit expires on February 16, 2006.
2. On May 7, 2002, the Board issued a Consent Special Order ("Order") to the PSA in its capacity as Receiver for Sanville. The Order required the PSA to: a) submit a closure plan for the Westwood Lagoon by June 1, 2003, and b) directly connect both the Fairway Acres and Westwood Subdivision to public sewer by December 31, 2003. Because of delays caused by the process of obtaining easements for construction of the project, the Board issued an amendment on October 29, 2003 to the Order ("2003 Amendment"). The 2003 Amendment extended the deadline for connection of both facilities to June 30, 2004.
3. Because of additional delays related to easements and funding, the Department and the PSA began in early 2004 to negotiate a second amendment to the Order to further extend

the deadline for connection of the Sanville facilities. Execution of the second amendment was delayed by a series of problems in planning for the public sewer connection, including condemnation proceedings for easements, applications for funding, and construction bids that exceeded available funding.

4. In a letter dated June 2, 2005, the PSA stated that construction contracts have been awarded for connection of the Sanville facilities to public sewer. Construction is expected to begin in July 2005.
5. Therefore, the State Water Control Board and the PSA agree that it is appropriate to amend the Order as described below.

SECTION C: Agreement and Order

Accordingly, the State Water Control Board, by virtue of the authority granted it in Code §62.1-44.15(8a), orders the PSA and the PSA agrees that the PSA shall perform the actions described in Appendix A and Appendix B of this Amendment, which supercede the requirements at Section D.1 and D.5 of the Order and Appendix A of the 2003 Amendment. Both the State Water Control Board and the PSA understand and agree that this Amendment does not alter, modify, or amend any other provision of the Order and that unmodified provisions of the Order remain in effect by their own terms.

And it is so ORDERED this day of 9-29, 2005.

FOR Steven A. Oietuch
Robert G. Burnley, Director
Department of Environmental Quality

The Henry County Public Service Authority voluntarily agrees to the issuance of this Amendment.

By: Benny Summerlin
Date: 7/18/05

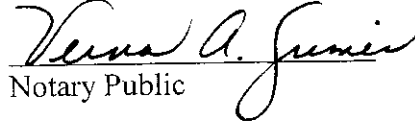
Commonwealth of Virginia

City/County of Henry

The foregoing instrument was acknowledged before me this 18th day of July, 2005,
by Benny Summerlin, who is General Manager of the

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Henry County Public Service Authority on behalf of said PSA.


Notary Public

My commission expires: July 31, 2009

APPENDIX A

The PSA shall comply with the following schedule:

1. Beginning August 1, 2005, the PSA shall not allow any new sewer service connections to be made to the collection system for the Fairway Acres STP or the Westwood Lagoon.
2. Beginning August 1, 2005, the PSA shall comply with the interim effluent limits specified for the Fairway Acres STP at Appendix B of this Amendment.
3. Not later than October 1, 2006, the PSA shall directly connect the Fairway Acres Subdivision and the Westwood Subdivision to public sewer and cease all discharges from the Fairway Acres STP and the Westwood Lagoon. The PSA shall close the Westwood Lagoon in accordance with the approved closure plan after discharges from the Lagoon cease.

APPENDIX B - INTERIM EFFLUENT LIMITS

INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - FAIRWAY ACRES

1. The Fairway Acres STP is authorized to discharge from outfall serial number 001 in accordance with the facility's permit. Such discharges shall be limited and monitored at outfall 001 as specified in the Fairway Permit, except as outlined below:

	<u>DISCHARGE LIMITATION</u>			<u>MONITORING REQUIREMENTS</u>	
	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Minimum</u>	<u>Frequency</u>	<u>Sample Type</u>
Flow (MGD)	NL	NA	NA	1/Day	Estimate
BOD ₅	38 mg/l	NL kg/d	NA	1/Week	Grab
Total suspended solids	40 mg/l	NL kg/d	NA	1/Week	Grab

NL - No limitation, monitoring only; NA - Not applicable

